

001667

REQUEST FOR COUNCIL ACTION  
CITY OF SAN DIEGO1. CERTIFICATE NUMBER  
(for auditor's use on) 141  
11/18TO:  
CITY ATTORNEY2. FROM: (ORIGINATING DEPARTMENT)  
SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION3. DATE  
August 18, 2008

## 4. SUBJECT:

Conflict of Interest Code for the Southeastern Economic Development Corporation (SEDC)

5. Primary Contact: (Name, Phone &amp; Mail Sta.)

Kimberly King, 527-7345 MS 68

6. Secondary Contact (Name, Phone &amp; Mail Sta.)

7. Check BOX if REPORT TO COUNCIL IS ATTACHED ☐

## 8. COMPLETE FOR ACCOUNTING PURPOSES

FUND					9. ADDITIONAL INFORMATION/ESTIMATED COST:
DEPT.					
ORGANIZATION					
OBJECT ACCOUNT					
JOB ORDER					
C.I.P. NUMBER					
AMOUNT					

## 10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED
1	President, SEDC	Carolyn Y. Smith	8/22/08				
2				10	City Attorney	William Spinak	10/27/08
3				11	Originating Department	Kimberly King	8/22/08
4				12			
5				13			
6				14			
7				15	Docket Coord. _____ Council Liaison _____		
8					COUNCIL PRESIDENT	<input type="checkbox"/> Spob <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO _____ COUNCIL DATE: 11/18/08	

11. PREPARATION OF: ☐ RESOLUTION(S) ☐ ORDINANCE(S) ☐ AGREEMENT(S) ☐ DEED(S)

That the City Council adopts the revised Conflict of Interest Code for the Southeastern Economic Development Corporation (SEDC).

## DOCKET OF:

## 11a. STAFF RECOMMENDATIONS:

Approve the resolution(s).

## 12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

Council District(s): All  
 Community Planning Area(s): City-wide  
 Environmental Impact: None  
 Housing Impact: None  
 Other Issues: None

Please send resolutions to Kimberly King, MS 68 when completed.



Southeastern  
Economic  
Development  
Corporation

## EXECUTIVE SUMMARY SHEET

DATE ISSUED: October 22, 2008 Report No. 08-010  
ATTENTION Council President and Members of the San Diego City Council  
ORIGINATING DEPARTMENT: Southeastern Economic Development Corporation  
SUBJECT: Conflict of Interest Codes  
SEDC CONTACT: Brian Trotier, Interim Chief Administrator  
(619) 527-7345

T 619.527.7345  
F 619.262.9845  
www.sedcinc.com

REQUESTED ACTION – Should the City Council of the City of San Diego adopt a resolution approving the Southeastern Economic Development Corporation (SEDC) Conflict of Interest Codes?

STAFF RECOMMENDATION TO THE CITY COUNCIL - That the City Council adopts a resolution approving SEDC's Conflict of Interest Codes.

EXECUTIVE SUMMARY – This revision is intended to conform to Government Code Section 87306.5 requiring a biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-303718 adopted on May 20, 2008. SEDC's code has been revised to: remove and/or add designated positions.

Submitted by:  
Kimberly King  
Executive Assistant

Approved by:  
Brian L. Trotier  
Interim Chief Administrator

BLT:kk

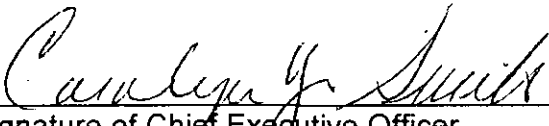
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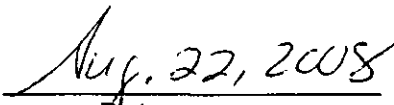
2008 Local Agency Biennial Notice

Name of Agency: Southeastern Economic Development Corporation  
Mailing Address: 4393 Imperial Avenue, Suite 200, San Diego, CA 92113  
Contact Person: Kimberly King, Executive Assistant  
Phone Number: (619) 527-7345 Fax Number: (619) 262-9845  
E-mail: kingsedc@aol.com

This Agency has reviewed its conflict of interest code and has determined that:

- ☒ The code needs to be amended and the following amendments are necessary:  
(Check all that apply)
- ☐ Include new positions (including consultants which must be designated (App. A))
- ☒ Revise the titles of existing position (App. A)
- ☒ Delete the titles of positions that have been abolished (App. A)
- ☐ Revise disclosure categories (App. B)
- ☐ Other
- ☐ No amendments are necessary. The agency's code accurately designates all positions that made or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated position; and the code includes all other provisions required by Government Code Section 87302.

  
Signature of Chief Executive Officer

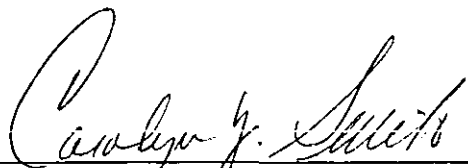
  
Date

You must complete this report regardless of how recently your code was approved or amended

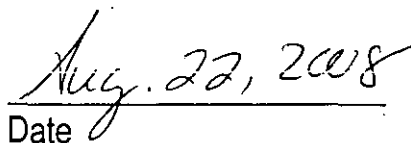
Please return this report by August 22, 2008, to:  
Denise Jenkins, Elections Analyst  
Office of the City Clerk  
202 C Street, MS 2A  
San Diego, CA 92101

Certification

The foregoing amendment to the Conflict of Interest Code was prepared by the Southeastern Economic Development Corporation after a fair opportunity was offered to the employees to present their views.

A handwritten signature in cursive script, appearing to read "Carolyn J. Smith", written over a horizontal line.

Signature of Chief Executive Officer

A handwritten date "Aug. 22, 2008" written in cursive script, positioned above a horizontal line.

Date

## APPENDIX A

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION  
CONFLICT OF INTEREST CODEDESIGNATED POSITIONS

<u>POSITION</u>	<u>DUTIES</u>	<u>CATEGORY</u>
President	Responsible for the administration and management of SEDC.	1-4
Vice-President of Operations	Assists the President with the administration and management of SEDC.	1-4
Manager of Projects and Development	Assists the President with the management and coordination of redevelopment activities including but not limited to planning, adoption and implementation.	1-4
Director Corporate Communications	Assists the President with the marketing of SEDC.	1-4
Director of Finance	Assists the President with the management of all the Corporation's financial matters including but not limited to banking, savings, securities, and investments.	1-4
<u>Community Relations Manager</u>	<u>Assists the President with the marketing of SEDC.</u>	<u>1-4</u>
Senior Accountant	Assists the Director of Finance with all the Corporation's financial matters including but not limited to banking, savings, securities, and investments.	1-4
Directors - Board	Establishes administrative and management policy for SEDC.	1-4
Consultants (to include all consultants fiscal, financial, architectural, legal, planning, relocation and property management, real estate, appraisers, acquisition agents, environmental & others)	The President shall determine in writing whether a consultant shall be required to disclose economic interests in one or more categories listed in Appendix B. The President may determine that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus will be required to disclose economic interests in fewer than all four categories. The President's written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of the consultant's disclosure requirements. The President's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.	5

## APPENDIX B

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION  
CONFLICT OF INTEREST CODEDISCLOSURE CATEGORIES

<u>CATEGORY</u>	<u>DESCRIPTION</u>
<b>1</b>	All investments and business positions in any firm or entity which supplies goods or services to the Southeastern Economic Development Corporation (SEDC).
<b>2</b>	All interests in real property owned or used by or in any firm or entity which supplies goods or services to SEDC.
<b>3</b>	(a) Investments and business positions in, and sources of income from, business entities that engage in land development, construction or the acquisition or sale of real property, (b) and all financial interests in real property within any SEDC adopted redevelopment project area which includes - Central Imperial, Mount Hope, Southcrest and Gateway Center West or within 2 miles of any aforementioned adopted redevelopment project areas.
<b>4</b>	All sources of income and gifts from any person, firm, or entity which supplies goods or services to SEDC.
<b>5</b>	The President shall determine in writing whether a consultant shall be required to disclose economic interests in one or more categories listed in Appendix B. The President may determine that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus will be required to disclose economic interests in fewer than all four categories. The President's written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of the consultant's disclosure requirements. The President's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.
* Appropriate schedules from FPPC Form 700 will be used.	

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4	All sources of income and gifts from any person, firm, or entity which supplies goods or services to SEDC.
5	The President shall determine in writing whether a consultant shall be required to disclose economic interests in one or more categories listed in Appendix B. The President may determine that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus will be required to disclose economic interests in fewer than all four categories. The President's written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of the consultant's disclosure requirements. The President's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.
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RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

RESOLUTION ADOPTING A REVISED CONFLICT OF  
INTEREST CODE FOR THE SOUTHEASTERN ECONOMIC  
DEVELOPMENT CORPORATION

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, in compliance with Government Code section 87306.5, the City is in the midst of a required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-303718 (approved by the City Council on May 20, 2008), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission [FPPC] in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

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WHEREAS, by Resolution No. R-299979, the City Council on December 7, 2004, approved a revised Conflict of Interest Code for the Southeastern Economic Development Corporation; and

WHEREAS, the Southeastern Economic Development Corporation now seeks to revise its conflict of interest code to delete positions that have been abolished and to revise the title of an existing position; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the Southeastern Economic Development Corporation; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Southeastern Economic Development Corporation is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Southeastern Economic Development Corporation as adopted be placed on file in the Office of the City Clerk as Document No. RR-\_\_\_\_\_.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised Conflict of Interest Code for the Southeastern Economic Development Corporation shall

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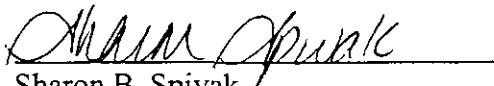
file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Southeastern Economic Development Corporation becomes effective upon the date of adoption of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
Sharon B. Spivak  
Deputy City Attorney

SBS:als  
10/27/08  
Or.Dept:SEDC  
R-2009-225